

***United States Court of Appeals
for the Second Circuit***



REPLY BRIEF

75-1216

To be argued by

Lawrence H. Levner, Esq.

7cc
B
P/S

UNITED STATES COURT OF APPEALS

FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

Appelle,

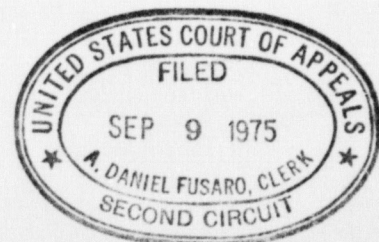
-v-

ANTONIO REYES,

Appellant.

REPLY BRIEF

Lawrence H. Levner
Attorney for Appellant
Antonio Reyes
521 Fifth Avenue
New York N.Y. 10017
MU 7 4640



TO BE ARGUED BY

LAWRENCE H. LEVNER, ESQ.

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT
DOCKET NO. 75-1216
-----x

UNITED STATES OF AMERICA,

Appellee,

-against-

ANTONIO REYES, et al.,

Appellant.
-----x

REPLY BRIEF FOR APPELLANT
ANTONIO REYES

LAWRENCE H. LEVNER,
Attorney for Appellant,
ANTONIO REYES,
521 Fifth Avenue
New York, New York 10017
687-4640

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United States v. Rossner, 485 F. 2nd 1213 (2nd Circuit.1973)

Trop v. Dulles, 356 U. S. 86, 100 (1958)

United States v. Wiley, Slip. Op. 5211, 5216-17 (Second Circuit
1975.)

United States v. Traumunti, 513 F.2nd 1087,1120 (2nd Cir.1975)

United States v. Malcolm, 432 F. 2nd 809, 8140815 (2nd Cir.1970)

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT
DOCKET NO. 75-1216

-----x
UNITED STATES OF AMERICA,

Appellee,

-against-

ANTONIO REYES, et al.,

Appellant.
-----x

BRIEF OF APPELLANT, ANTONIO REYES

STATEMENT OF ISSUES PRESENTED FOR
A REVIEW

A Sentence may be reviewed when there are procedural irregularities in its imposition and where the Court has been misinformed as to the defendant's prior criminal history.

STATEMENT OF FACTS

1. INTRODUCTION

This is a supplemental brief in support of the defendant ANTONIO REYES' appeal from the final judgment of the United States District Court of the Southern District of New York (Brieant, J.) entered on June 6, 1975 after a jury trial convicted the defendant-appellant ANTONIO REYES hereinafter called the Appellant and another of conspiring to violate the narcotics law (Count 1) and of the substantive offenses of possession with intent to distribute narcotic drugs (Counts 2 and 3), all in violation of the law of the United States of America.

The Appellant was sentenced to a term of imprisonment of 12 years to be followed by three years special parole (R. 411). *

At the imposition of sentence the Court relied upon the following information in making a determination as to the length of said sentence. "The defendant has been supported by welfare for the past six or seven years. His wife and children are also receiving welfare. That's what it says." (R. 409).

The Court also stated at time of sentence "that this man is a man 37 years of age. You are married. You have a family, and this is your eleventh criminal conviction in the past 14 years." (R.410). The Court also stated an imposition of sentence "that you also have a couple open cases which haven't been determined in Bronx County. And while it is true you have eliminated or disposed of your drug habits, the Court regards you as a chronic offender, I am quoting the words of Mr. Dean (Probation Officer) herein his evaluation that your past performance gives little reason to believe that you would function in a law abiding fashion, you had the contacts, the ability to put Mr. Rodriguez in touch with drugs, and I don't find you to be a significant drug dealer in your own right. You certainly were not the main target of this particular investigation, but the fact is that your conduct represents a very serious threat to society. Both the Probation Officer and the Court believe that your conduct warrants an extended term of imprisonment, and your past conduct gives little reason to believe that you are going to do any better in the future." (R.410 and 411).

"I am imposing sentence in the hope and expectation that the ~~Sta~~te will be fair with you in connection with such open matters as you may have. I am not considering any suggestions of guilt as to those matters whatever in the imposition of sentence, but I am relying on numerous prior convictions that are listed herein the probation report which indicate basically your involvement of a life of crime."
(R.411)

It is apparent from reading the record of the court's imposition of sentence (R.402 to R. 413), that the court was influenced by a probation report and the actual trial and subsequent conviction of this defendant for the crimes charged.

The probation report was based upon information supplied by the United States Attorney's Office to wit, a New York City Police Department Criminal record of the Appellant and United States Department of Justice Federal Bureau of Investigation arrest and conviction sheet.

The defendant's criminal record supplied by the Police Department of the City of New York and made Exhibits "A" and "B" contains two pages and alleges eighteen arrests and eight convictions. Each conviction is for misdemeanor offenses committed within the State of New York from 1961 up until

June 6, 1969. The imposition of sentences vary from suspended sentence and time served to incarceration for a period of eight months.

A reading of the New York Penal Code which was applicable at the time of the arrest+conviction alluded to in Exhibits "A" and "B" indicating the following convictions.

722-6 of the Penal Law alleges an individual who interferes with any person and any place by jostling against such person or unnecessarily crowding him or by placing a hand in the proximity of such persons pocket, pocketbook or handbook; or who stations himself in any place or follows or accosts any person for the purpose of obtaining money or other property from said person by any trick, artifice, swindle, confidence game or in any other legal manner;

722-3 of the Penal Law where a defendant congregates with others on a public street and refuses to move when ordered by the police:

Any person who with intent to revoke a breach of the peace, or thereby a breach of the peace may be occasioned, commits any of the following acts shall be deemed to have

committed the offense of disorderly conduct.

According to Exhibit "A" the defendant was convicted on three separate occasions of disorderly conduct.

The defendant's other convictions in 1961 was for petty larceny a misdemeanor, for petty larceny in 1966 a misdemeanor and again for grand larceny in the third degree a misdemeanor in 1969.

The other charge which the defendant received a sentence of time served was had in July of 1962 was for a violation of the Public Health Law, Section 3305 which was a misdemeanor.

The above convictions of the defendant pursuant to Exhibits "A" and "B" indicate no misdemeanor or felony convictions since June 6, 1969 up until the time of imposition of sentence in this present case.

The defendant has not maintained himself for a period of six years in the position of a chronic offender, but rather at worst, a welfare recipient.

The arrest and conviction sheet supplied by United States Government to the Department of Probation for this defendant's previous arrests and conviction and labelled Exhibits "L", "M", "N" indicate a series of seven convictions at best all for misdemeanor violations, none occurring after

June of 1969.

An examination of the two arrest and conviction records, one supplied by the Federal Bureau of Investigation and the other supplied by the Police Department of the City of New York indicate a variance as to the number of convictions this defendant has had.

Not only does the variance exist as to the number of convictions but as to the individual who was in fact arrested. The following names appear in said arrest records of the City and Federal Bureau of Investigation. Jose Torres, Antonio Reyes, Epifiano Astrada, Epifino Ortiz, Antonio Rios Reyes, Antonio Reyes Rios and Jose L. Torres.

Are all these individual names that of this defendant-appellant.

A thorough examination of the Criminal Court records of the City of New York, County of Bronx was had by the defendant-appellant's attorney with the assistance of the Chief Clerk of the Criminal Court in searching the records of the Special Sessions Court of the City of New York, County of Bronx Exhibits 1 through 6 are certified certificates of disposition. The only accurate and first-hand history of this alleged defendant's violations and convictions which can

be documented by the arrest books and disposition books of that Courthouse.

The certified certificates of disposition indicate that this defendant was arrested on six separate occasions during the period of 1961 up until 1969. Those certificates of disposition indicate the following.

Docket No. SS1117-1961, convicted of petty larceny sentence 60 days.

Docket No. 3716/1962, convicted of possession of a hypodermic needle, sentence, time served.

Docket No. 853344/1965, charged with grand larceny dismissed 8/24/65.

Docket No. B1240/1966, convicted of petty larceny 90 days suspended sentence.

Docket No. A5719 of 1969, convicted of grand larceny sentence eight months.

Docket No. A345/1964, convicted of Section 722-6 of the Penal Code - sentence three months.

These are the only accurate and true records of the arrests and convictions of this defendant presently being held in the Bronx County Courthouse located at Washington Avenue, Bronx, New York. Any other references to this de-

defendant in the United States Department of Justice Federal Bureau of Investigation arrest and conviction sheet and the arrest and conviction sheet of this defendant held by the Police Department of the City of New York (Exhibits "A" and "B" and Exhibits "L", "M", "N" cannot readily be documented nor can said criminal records supplied to the court and the Department of Probation be relied upon in view of the annexed exhibits 1 through 6 which should negate the "RAP Sheet" supplied to the Department of Probation. The arrest and conviction sheet supplied to the Department of Probation indicate numerous arrests. It must be noted that it is ~~the~~, and has been, the practice to list precinct arrests as part of the defendant's criminal history even though no further action was had upon those charges. The criminal record for arrests and convictions do not necessarily indicate defendant's appearances in Court but rather include defendant's appearances in court and precinct arrests.

The Court through the probation report took no notice of the defendant's lack of criminal activity for the past six years and the time of his present conviction.

ARGUMENT

THE SENTENCE IMPOSED UPON THIS DEFENDANT VIOLATED HIS CONSTITUTIONAL RIGHT TO BE FREE FROM CRUEL AND UNUSUAL PUNISHMENT AND WAS AN ABUSE OF JUDICIAL DISCRETION BASED UPON MISINFORMATION HAD AND RELIED UPON AT THE DISTRICT COURT UPON THE DEFENDANT'S SENTENCE.

Since the above exhibits indicate procedural irregularities in the imposition of sentence this Court may review same. *Dorszynski v. United States*, 418 U.S. 424, 441, (1974); *United States v. Wiley*, Slip.Op.5211, 5216-17 (Second Cir., July 29, 1975); *United States v. Tramunti*, 513 F.2d 1087, 1120 (2nd Cir.1975); *United States v. Malcolm*, 432 F.2d 809, 814-15 (2nd Cir. 1970). The above cases cited by the Appellant do stand for the proposition that this Court may review an improperly directed sentence.

THE DEFENDANTS SENTENCE WAS CRUEL
AND UNUSUAL WHEN COMPARED TO THOSE OF
HIS 5 CO-DEFENDANTS

Mr. Justice Brennan found a common thread in previous Supreme Court Decisions holding particular punishment to be cruel and unusual in that each was "degrading to human dignity," a concept first applied in an Eighth Amendment setting in *Trop v. Dulles*, 356 U. S. 86, 100 (1958). Finally, the opinion of Mr. Justice Brennan set forth this test:

The test, then, will ordinarily be a cumulative one; If a punishment is unusually severe, if there is a strong probability that it is inflicted arbitrarily, if it is substantially rejected by contemporary society, and if there is no reason to believe that it serves any penal purpose more effectively than sum less severe punishment, then the continued infliction of that punishment violates the command of the clause that the State may not inflict inhuman and uncivilized punishments upon those convicted of crimes. *Furman v. Georgia* 408 U.S.238 (1972).

The Defendant although convicted played the most minor role in the conspiracy. The penalty exacted of this defendant portrays him as a major narcotics distributor rather than what he in fact was.

The legislative intent of this Statute was to prevent the importation and distribution of drugs within these United States. It was directed at the major dealers not the Antonio Reyes of this world.

The sentence of this defendant is so disproportionate to the others so as to constitute cruel and unusual punishment.

CONCLUSION

FOR ALL THE FOREGOING REASONS, THE SENTENCE OF
THE TRIAL COURT SHOULD BE VACATED AND THE APP-
ELLANT SHOULD BE RESENTENCED.

Respectfully submitted,

Lawrence H. Levner
Attorney for Defendant-Appellant

PRISONER'S CRIMINAL RECORD

POLICE DEPARTMENT
CITY OF NEW YORKBUREAU OF
CRIMINAL IDENTIFICATION

D.S. 24 (REV. 9-60)

NAME Antonio Ruiz Epifiano Estrada OrtizB# 519 805ALIAS Antonio Reyes Rios, Antonio Reyes, Jose Torres

E#

This certifies that the finger impressions of the above named person have been compared and the following is a true copy of the records of this bureau.

D.C.I.# 939319F.B.I.# 475

Date of Arrest	NAME	Borough or City	CHARGE	Arresting Officer	Date, Disposition Judge and Court
3/1/61	Antonio Ruiz	Bronx	Att. Pet. Larc.	Black 42 Sgd.	3/21/60 60 d S.S. Galloway, Sess.
X12/2/61	Antonio Reyes Rios	P.D. Puerto Rico	-	-	-
7/24/62	Jose L. Torres	Bronx	3305 PHL & 1747d PL	Coyle 41 Pct.	Spec. Sess. 8/11/ Doc. #3716 3305 8/24/62 Time Se Martinis.
4/6/63	Antonio Reyes	Bronx	722-6 PL	McKenna PP&C Sgd.	4/23/63 6 Mos Bottiglieri-C
1/18/64	Antonio Reyes	Bronx	722-6 PL	O'Brien PP&C Sgd.	1/22/64 3 Mos Breslin, Crim. C
X2/17/64	Antonio Reyes	NYC	722-3 PL (Congregating)	D.J.	3 Mos.
8/23/65	Antonio Reyes	Bronx 2928-40	Gr. Larc.	Simone PP&C	9-29-65 Dismi
*2-20-66	Antonio Reyes	Bronx	Pet Larc	Coyne 41 Sgd.	2-21-66 Crim. Doc #1240 Arc 3-4-66
3-11-66	Antonio Rios Reyes	Bronx 1004-41	Fugitive (Warrant)	Morgal 41 Sgd	-
12-5-66	Epifiano E. Ortiz	Bronx 4881-41	Burglary	Hoffman 41st Pct	-
3-10-67	Antonio Reyes	Bronx 2154-48	Gr Larc	Cole 48 Pct	-

Record prepared on _____ Date _____

by _____

Signature

BCI

Command

EXHIBIT A

FIRST NAME

MIDDLE NAME

RD NO.

PAGE NO.

519805

2

NAME AND ADDRESS GIVEN	BOROUGH OR CITY, ARREST NO./PCT.	CHARGE	ARRESTING OFFICER	DATE, DISPOSITION, JUDGE AND COURT
Antonio Reyes	Bronx 3336-42	165.25 PL Jostling 155.30 PL Gr. Larc.	Jennings PP&C	6-6-69- Dkt.#A5719 Final Chg: Att. Gr. Larc. 3rd - 8 mos. Jdg. Bloom
Antonio Reyes 961 Fox St. Bx.	Bronx 2795-42	155.30-E Gr. Larc.	Fitzsimmons 42 Pct.	6-6-69 8Mos NYC Recpt Center X/374
Anthony Reyes 3805 3 Ave.	Bronx 4291-48	PL 140.20 Burglary PL 140.35 Poss Burg. Tools	Milano 43 Pct.	
Antonio Reyes 3809 3 Ave	Bronx 6345-48	PL155.30-1 G/L/A-3 PL165.40 Poss Stln Prop-3 PL165.05-1 Unauth Use Mtr Veh	Schwab 48	
Antonio Reyes	Bronx 1756-48	225.15PL Poss Gamb Rec.	Williams 46 Pct.	
Antonio Reyes 1800 Monroe Ave	Bronx 26077-48	PL215.56-2 B ail Jumping	Williams 48 Pct.	
REYES, ANTONIO		USD841.4, CSDD	FIANNERY NYDMEF/OCCE	
CONTINUED ON PAGE			EXHIBIT B	

"X" Indicates entries unsupported by fingerprints.

or divulging such information for other than official use
of law and will be prosecuted accordingly.The COMMANDING OFFICER, IDENTIFICATION SECTION, certifies
that the fingerprints of the above named person have been compared
and, UNLESS OTHERWISE SPECIFIED, the foregoing is a true copy of
the records of this section.

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D.C.

519-805

IDENTIFICATION DIVISION

The following FBI record, NUMBER 475 052 E, is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD NY NY	Jose Torres #519805	7-24-62	3305 PHL 1747 D PL	
PD NY NY	Antonio Reyes #B519805	4-6-63	722-6 PL jostling	
WH Hart Isl NY NY	Antonio Reyes #163 5535	4-23-63	722-6 jostling	6 mos
PD NY NY	Anthony Reyes #B519805	1-18-64	722 PL sub 6 jostling	
WH Hart Isl NY NY	Antonio Reyes #02571	2-17-64	722-3 Congregating on street	3 mos
PD NY NY	Antonio Reyes #519805	8-23-65	GL (from auto)	
PD NY NY	Antonio Rios Reyes #B519805	3-11-66	fugitive - Puerto Rico	
Crim Crt City of NY NY NY	Antonio Reyes #627516 1240 x 66	3-16-66	PL	90 das WH SS
PD NY NY	Epifiano Estrada #519805	12-5-66	burg	
Crim Crts City of NY NY NY	Epifiano Ortiz #8690 X 2C-66	12-7-66	burg to 405	4 mos
WH Hart Isl NY NY	Epifino Ortiz #366, 8076	12-8-66	house 405	4 mos

EXHIBIT L

Information shown on this Identification Record represents data furnished FBI by fingerprint contributors. Where final disposition is not shown or further explanation of charge is desired, communicate with agency contributing those fingerprints.

Notations indicated by * are NOT based on fingerprints in FBI files but are listed only as investigative leads as being possibly identical with subject of this record.

UNITED STATES DEPARTMENT OF JUSTICE 2-5-75
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20537

of record, NUMBER 475 052 E is furnished FOR OFFICIAL USE ONLY.
shown on this Identification Record represents data furnished FBI by fingerprint contributors. WHERE
DISPOSITION IS NOT SHOWN OR FURTHER EXPLANATION OF CHARGE IS DESIRED, COMMUNICATE
AGENCY CONTRIBUTING THOSE FINGERPRINTS.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD NY NY	Antonio Reyes #519805	8-10-67	GL	
NYC Recept Class Center East Elmhurst NY	Antonio Reyes #767 1671	12-18-67	pet lar	1 yr
PD NY NY	Antonio Reyes #519805	9-3-68	165.25 PL A misd jostling 155.30 PL E fel GL pickpocket	
NYC Recept Class Center East Elmhurst NY	Antonio Reyes #768 4064	9-12-68	pet lar	6 mos
PD NY NY	Antonio Reyes #519805	6-4-69	PL 155.30-3 GL 3	
NYC Recept & Class Ctr East Elmhurst NY	Antonio Reyes #769 3407	6-9-69	att GL	8 mos
PD NY NY	Anthony Reyes #519 805	8-10-71	PL 140.20 burg PL 140.35 poss of burg tools	
PD NY NY	Antonio Reyes #519805	11-29-71	Grand Larc 155.30 Pl E Fel Crim Poss Stn Prop 165,40 Pl A Misd Unauth use of Motor Veh 165.05 PL A Misd	

EXHIBIT M

Notations indicated by * are NOT based on fingerprints in FBI files but are listed only as investigative leads as
being possibly identical with subject of this record.

2-5-75

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
IDENTIFICATION DIVISION
WASHINGTON, D.C. 20537

FBI record, NUMBER 475 052 E

is furnished FOR OFFICIAL USE ONLY.

As shown on this Identification Record represents data furnished FBI by fingerprint contributors.
DISPOSITION IS NOT SHOWN OR FURTHER EXPLANATION OF CHARGE OR DISPOSITION IS
NOTED, COMMUNICATE WITH AGENCY CONTRIBUTING THOSE FINGERPRINTS.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD NY NY	Antonio Reyes 519805 SID 939319Y	4-4-73	PL 225.15 poss gamb rec	
PD NY NY	Antonio Reyes 519805 SID 939319Y	9-14-73	bail jumping	
ed Det Hdqtrs NY NY	Antonio Reyes 79605 158	11-7-73	Viol Narc Laws SK Conhlin NYJTF/Agt	
DDA New York NY	Antonio Reyes CT-73-0151	11-7-73	Cr. Sales Dang Drug Heroin	
PD NY NY	Antonio Reyes SID 939319Y	1-22-75	1. Burg 2 2. Grd Larc 3 3. Agg Harassment	

EXHIBIT N

CRIMINAL COURT OF THE
CITY OF NEW YORK

Part SP, County of Bronx

CERTIFICATE OF DISPOSITION
No 226611

Docket No. SP 1117, 1964

THE PEOPLE OF THE STATE OF NEW YORK

vs.

NAME Antonio Ruiz AGE 21
ADDRESS 719 West 181st St
CITY Bronx STATE NY
OFFENSE Ret Larc
DATE OF OFFENSE 3-1-62
DISPOSITION 60 days w/h
Ex Susp
DATE OF DISPOSITION 3-28-61
CRIMINAL COURT PART SP COUNTY Bronx
JUDGE Sever

I hereby certify that this is a true excerpt of the record
on file in this Court.

DATE 9-21-75, 1975

COURT OFFICIAL (Signature) [Signature]

EXHIBIT 1

CRIMINAL COURT OF THE
CITY OF NEW YORK

Part S/S, County of Brooklyn

CERTIFICATE OF DISPOSITION
No 226610

Docket No. 3716 1962

THE PEOPLE OF THE STATE OF NEW YORK

vs.
NAME Jose L Torres AGE 1
ADDRESS None
CITY Brooklyn STATE NY
OFFENSE Drugs Hypo
DATE OF OFFENSE 7-24-62
DISPOSITION Fine
8-24-62
DATE OF DISPOSITION
CRIMINAL COURT PART B S/S COUNTY Brooklyn
JUDGE Thomas Lewis

I hereby certify that this is a true excerpt of the record
on file in this Court.

DATE 9-4-62 1962
COURT OFFICIAL (Signature) [Signature]

CRIMINAL COURT OF THE
CITY OF NEW YORK

Part AR, County of Bronx

CERTIFICATE OF DISPOSITION
No 226608

Docket No. A5344, 1965

THE PEOPLE OF THE STATE OF NEW YORK

vs.
NAME Antonio Reyes AGE 25
ADDRESS 668 Union Ave
CITY Bronx STATE NY
OFFENSE Hand Larceny 1st
DATE OF OFFENSE 9-29-65
DISPOSITION Dismissed

9-29-65
DATE OF DISPOSITION
CRIMINAL COURT PART B1 COUNTY
JUDGE Di Lago

I hereby certify that this is a true excerpt of the record
on file in this Court.

DATE 9-4-73, 1973
COURT OFFICIAL (Signature) [Signature] Title

CRIMINAL COURT OF THE
CITY OF NEW YORK

Part Bx1 County of Bronx

CERTIFICATE OF DISPOSITION

Nº 226609

Docket No. B1240 19 66

THE PEOPLE OF THE STATE OF NEW YORK

vs.
NAME Antonio Lopez AGE 28
ADDRESS 713 Prospect Ave
CITY Bronx STATE NY
OFFENSE Pet Larc
DATE OF OFFENSE 2-2-66
DISPOSITION 90 days Ex SP
DATE OF DISPOSITION 3-16-66
CRIMINAL COURT PART 1A COUNTY Bronx
JUDGE Chenidge

I hereby certify that this is a true excerpt of the record
on file in this Court.

DATE 9-4-75 19 75
COURT OFFICIAL (Signature) [Signature]

CRIMINAL COURT OF THE
CITY OF NEW YORK

Part 1A, County of Brooklyn

CERTIFICATE OF DISPOSITION
No 226607

Docket No. A-5719 19 69

THE PEOPLE OF THE STATE OF NEW YORK

VS.

Antonio Lopez 22
NAME AGE

96 Fox Street
ADDRESS

Brooklyn 974
CITY STATE

155.30
OFFENSE

6-5-69
DATE OF OFFENSE

NY 10 Hard Labor 3
DISPOSITION

8 Months

6-6-69
DATE OF DISPOSITION

1A Brooklyn
CRIMINAL COURT PART COUNTY

Bloom
JUDGE

I hereby certify that this is a true excerpt of the record
on file in this Court.

DATE 9-4-75, 19

R. J. Danbridge clerk
COURT OFFICIAL (Signature) Title

CRIMINAL COURT OF THE
CITY OF NEW YORK

Part AR, County of Bronx

CERTIFICATE OF DISPOSITION
No 226612

Docket No. A 345 19 64

THE PEOPLE OF THE STATE OF NEW YORK

vs.

Antonio Antonio 23
NAME AGE

719 Prospect Ave
ADDRESS

Bronx NY
CITY STATE

722-6

OFFENSE

1-19-64

DATE OF OFFENSE

NY

DISPOSITION

3 mos H

1-21-64
DATE OF DISPOSITION

DP Bronx
CRIMINAL COURT PART COUNTY

Breslin
JUDGE

I hereby certify that this is a true excerpt of the record
on file in this Court.

DATE 9-5-75, 19 75

[Signature]
COURT OFFICIAL (Signature) Title

EXHIBIT 6